

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:14CR76
)	
Plaintiff,)	
)	
vs.)	TENTATIVE FINDINGS
)	
PASCUAL MANCINAS,)	
)	
Defendant.)	

The Court has received the Revised Presentence Investigation Report (“PSR”) and the Defendant's objections (Filing Nos. 58 and 59). The government has not objected to the PSR. See Order on Sentencing Schedule, ¶ 6. The Court advises the parties that these Tentative Findings are issued with the understanding that, pursuant to *United States v. Booker*, 543 U.S. 220 (2005), the sentencing guidelines are advisory.

Accordingly,

IT IS ORDERED:

1. The Defendant's Objections to Presentence Investigation Report (Filing No. 58) and Statement of Defendant Pursuant to Court's Standing Order of February 16, 1988 In Re: Implementation of Sentencing Procedures ¹ (Filing No. 59) will be addressed at the sentencing hearing;
2. The Court intends to adopt the PSR in all other respects;

¹The Court advises that the standing order referenced by counsel was rescinded on August 6, 2004. (See District Court's webpage: <http://www.ned.uscourts.gov/>.) In the future, counsel should follow the deadlines set forth in the Court's Order on Sentencing Schedule filed in the case.

3. If **any** party wishes to challenge these tentative findings, the party shall immediately file in the court file and serve upon opposing counsel and the Court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law, and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and an estimated length of time for the hearing;

4. Absent submission of the information required by paragraph 3 of this Order, these tentative findings are final; and

5. Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing.

DATED this 28th day of August, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge